

REMARKS

Applicants' attorney thanks the Examiner for her comments. Independent Claim 1 has been amended to include the limitations of former Claim 16, which was found to recite allowable subject matter, and to clarify that the first surface increases concavity in the presence of a liquid. As recited in Claim 1, the absorbent structure expands along the second surface in the presence of a liquid so that the first surface increases concavity in the presence of the liquid. In the embodiment shown in Figs. 1-3, for instance, the first surface 27 becomes concave (or more concave) and the second surface 28 becomes convex (or more convex) when the absorbent structure 20 is exposed to a liquid. As explained on page 2, lines 8-9, the recited thickness is "in a dry state."

Independent Claim 17 has been amended to include the limitations of former Claim 23, which was found to recite allowable subject matter, and to clarify that the absorbent second layer increases concavity along an interface of the first and second layers in the presence of a liquid. As shown in Figs. 1-3, for instance, the second layer 24 expands in the presence of a liquid so that the second layer becomes concave (or more concave) along the interface 26 between the first and second layers.

Independent Claim 30 has been amended to incorporate the limitations of former Claim 9, which was found to recite allowable subject matter, and to clarify that the first surface increases concavity in the presence of a liquid.

New independent Claim 41 incorporates the limitations of former Claim 15, which was found to recite allowable subject matter. New independent Claims 42 and 43 incorporate the limitations of former Claims 22 and 21, respectively, which were found to recite allowable subject matter.

a) Claim Objections

The objection to Claims 1, 17 and 30 as being indefinite is respectfully traversed in view of the foregoing amendment. The Examiner states that concavity is dependent on a reference point, and something that is concave from one viewpoint may be convex from another. While this may be true for a curved line in space having no thickness, it is not true for a curved surface of an object which can only be seen from one side versus another.

For instance, the absorbent structure 20 shown in Applicants' Fig. 2 has a thickness such that its first surface 27 can only be viewed from one side of the structure. From that perspective, the first surface 27 increases its concavity when the absorbent structure becomes wet, as recited in independent Claims 1, 30 and 41.

Furthermore, the interface 26 between the first and second layers (when defined as part of the second layer 24, or relative to the second layer 24) increases its concavity when the absorbent structure becomes wet, due to expansion of the second layer. This increased concavity of the second layer 24 at the interface 26 is plainly recited in Claims 17, 42 and 43.

In summary, Applicants' claims, when properly construed according to the specification, are clear and definite. Applicants request that the objection be withdrawn.

b) Claim Rejections Based On 35 U.S.C. §102(b) Or §103(a)

The rejection of Claims 1-7, 10-11 and 13-14 under 35 U.S.C. §102(b) as anticipated by, or under 35 U.S.C. §103(a) as obvious over U.S. Patent 5,460,621 (Gertzman et al.) is respectfully traversed. Claim 1 has been amended to include the limitations of former Claim 16, which was found to recite allowable subject matter. Claims 2-7, 10-11 and 13-14 depend from Claim 1, and are patentable for at least the same reasons. Accordingly, this rejection has been overcome.

The rejection of Claims 1-6, 8, 12-14 and 30-40 under 35 U.S.C. §102(b) as anticipated by, or under 35 U.S.C. §103(a) as obvious over U.S. Patent 5,591,150 (Olsen et al.) is respectfully traversed. Claim 1 has been amended to include the limitations of former Claim 16, which was found to recite allowable subject matter. Claim 30 has been amended to recite the limitations of former Claim 9, which was found to recite allowable subject matter. Claims 2-6, 8, 12-14 and 31-40 depend from Claim 1 or 30, and are patentable for at least the same reasons. Accordingly, this rejection has been overcome.

The rejection of Claims 8, 17-19, 24-25 and 28-29 under 35 U.S.C. §103(a) as obvious over Gertzman et al. is respectfully traversed. Claim 1 has been amended to include the limitations of former Claim 16, which was found to recite allowable subject matter. Claim 17 has been amended to include the limitations of

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Docket No.: KC-17,872

former Claim 23, which was found to recite allowable subject matter. Claims 8, 18-19, 24-25 and 28-29 depend from Claim 1 or 17, and are patentable for at least the same reasons.

The rejection of Claims 17, 19-20 and 24-29 under 35 U.S.C. §103(a) as obvious over Olsen et al. is respectfully traversed. Claim 17 has been amended to include the limitations of former Claim 23, which was found to recite allowable subject matter. Claims 19-20 and 24-29 depend from Claim 17, and are patentable for at least the same reasons.

Independent Claim 41 is a re-write of former Claim 15, which was found to recite allowable subject matter. Independent Claim 42 is a re-write of former Claim 22, which was found to recite allowable subject matter. Independent Claim 43 is a re-write of former Claim 21, which was found to recite allowable subject matter. Therefore, new Claims 41-43 are also patentable over the prior art.

For these reasons, Applicants request withdrawal of the claim rejections under 35 U.S.C. §102(b) and/or §103(a).

c) Conclusion

Applicants believe that the claims, as now presented, are in condition for allowance. If the Examiner detects any unresolved issues, then Applicants' attorney respectfully requests a telephone call from the Examiner, and a telephone interview.

Respectfully submitted,



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